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C O N F I D E N T I A L SECTION 01 OF 02 AMMAN 001821

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TAGS: [PGOV](#) [PHUM](#) [KWMN](#) [KJUS](#) [KMPI](#) [JO](#)  
SUBJECT: JORDAN: SPECIALIZED HONOR CRIME TRIBUNAL  
ESTABLISHED

REF: A. AMMAN 1674  
[1](#)B. AMMAN 1673  
[1](#)C. AMMAN 1618  
[1](#)D. AMMAN 1558  
[1](#)E. AMMAN 1318  
[1](#)F. AMMAN 471  
[1](#)G. 08 AMMAN 3280  
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Classified By: Ambassador R. Stephen Beecroft for reasons 1.4 (b) and (d).

[1](#)1. (SBU) Summary: On July 28, the Chief Judge of Jordan's Criminal Courts unveiled plans for a special criminal court tribunal to hear all honor crime cases. Many activists see the creation of the tribunal as a step forward to unify verdicts in these cases and ensure perpetrators are prosecuted in accordance with the gravity of their crimes. End Summary.

[1](#)2. (SBU) The Chief Judge of Jordan's Criminal Courts, Nayef Al-Sammarat, announced on July 28 the formation of a special criminal court tribunal that will hear all honor crime related cases. The tribunal's creation is widely being hailed as a significant step towards eliminating overly lenient sentencing in honor crime cases. Local activists are hopeful the tribunal will fully abolish the use of the penal code's Article 98, which has allowed murderers in honor crimes cases to receive sentences as short as six months. Judges have the discretion to use Article 98 when a defendant acts in a "fit of fury." This article, however, has been applied even in cases where significant time passed between the murder and the alleged act of tarnishing the family's honor. Criminal court judges have refrained from using Article 98 in recent months but, based on previous rulings, some criminal court judges still prefer its application (ref B). There is also a fear that Article 98's usage could again become routine given that the judicial system rotates judges through various courts every few years.

[1](#)2. (U) Al-Sammarat, who will head the new permanent tribunal comprised of three sitting criminal court judges, was non-committal with reporters when asked whether reduced sentences would still be given in honor crime cases. He instead insisted that cases will now be tried based solely on "circumstances." Former Criminal Court Attorney General (Chief Prosecutor) Judge Yassin Abdullat is optimistic the tribunal will bring about long needed change in honor crime sentencing and called the tribunal a "milestone for the Jordanian judiciary." With the new tribunal, trials are projected to be completed within two months, whereas before they could last for more than 18 months. (Note: The tribunal will not have investigative powers, which will remain the jurisdiction of prosecutors in coordination with the police. End Note)

[1](#)3. (SBU) Activists have fought hard for legislative changes to Article 98 and other parts of the penal code, but point

out that such legislative changes are not necessary if the judiciary correctly applies the law. Another judicial practice that contributes to lenient sentences is the use of Article 99, which allows judges to reduce a sentence by half if a victim's family requests the charges be dropped. Though the use of Article 99 is discretionary, in the last five honor crime convictions, the defendants were sentenced to 15-years for their "murders," but the sentences were immediately reduced to seven-and-a-half years (ref B). Minister of Justice Ayman Odeh agrees that Article 99 should not be used in honor crime cases and has told Post that it should be eliminated altogether when the defendant and victim are in the same family. There are no current proposed legislative amendments to Article 99 but there are calls inside and outside the judiciary for judges to be instructed not to use this discretionary article.

14. (SBU) Minister Odeh and Abdallat had planned for an honor crime tribunal for some time. In fact, prior to his reassignment as an appellate judge, Abdallat, in coordination with the Ministry of Justice, was reviewing prior rulings by each criminal court judge in order to determine who would be appointed to the tribunal. Abdallat is already thinking about the next steps. He has called for a similar tribunal at the appellate level to further "unify" verdicts. Several activists agree and are now making similar calls.

15. (C) Comment: The creation of an honor crime tribunal is a major step forward in ensuring perpetrators of honor crimes are prosecuted in accordance with the gravity of their crimes and that Jordan's laws are applied properly in such cases. The tribunal's announcement was welcomed and likely was

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pushed for by the King who voiced his frustration to a Congressional Delegation on June 28, over the Chief Justice's performance and lack of judicial will to address lenient honor crime sentencing. (Note: The Chief Justice is responsible for judicial assignments. End Note.) While parliament and some tribal leaders seem unwilling to take action against honor crimes, the royal family and major players within government are pushing forward. Yet another royal family member, Princess Rym Ali, spoke out on July 28 praising the work of journalists who report on honor crimes and said that these crimes must stop as they do not "reflect the true values in which Arabs and Muslims believe." The formation of the tribunal was also covered extensively by the Jordanian media, part of a continuing media trend to cover honor crimes and push for reform. Post continues to actively engage with both governmental and non-governmental actors and is pushing for further reform, such as eliminating the use of Article 99 when the victim comes from the same family as the perpetrator. End Comment.

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